IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 30295 of 2006(F)

PETITIONER:

INDIRA, D/O.LEKSHMIKUTTY,
INDIRA VIHAR, T.C.2/3294, PATTOM,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENTS:

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1. CORPORATION OF THIRUVANANTHAPURAM,
REPRESENTED BY IT'S SECRETARY,
CORPORATION OFFICE, THIRUVANANTHAPURAM.

2. THE BUILDING INSPECTOR,
CORPORATION OF THIRUVANANTHAPURAM.

ADDITIONAL RESPONDENT

3. THE SECRETARY
LOCAL SELF GOVT. DEPARTMENT
SECRETARIATE
THIRUVANANTHAPURAM

Additional respondent is impleaded vide order dated 11-01-07 in I.A.No.16577/06

BY ADV.SRI.N.NANDAKUMARA MENON, SC.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	TRUE COPY OF THE COMPLAINT IN S.T.21/2001 ON THE FILE OF ADDL. CJM, THIRUVANANTHAPURAM
EXT.P2	TRUE COPY OF THE ORDER DTD. 7-9-00 U/S 406(1) OF KERALA MUNICIPALITY ACT ISSUED BY R1
EXT.P3	TRUE COPY OF THE REPLY DTD. 3-11-00 SUBMITTED BY THE PETITIONER BEFORE R1
EXT.P4	TRUE COPY OF CONFIRMATION ORDER DTD. 29-9-00 ISSUED BY R1
EXT.P5	TRUE COPY OF THE CHELAN DTD. 31-10-2000 EVIDENCING PAYMENT OF FEE FOR REGULARISATION.
EXT.P6	TRUE COPY OF THE PLAN SUBMITTED ALONG WITH APPLICATION FOR REGULARISATION.

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 30295 OF 2006

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Dated this the 30th day of July, 2007

JUDGMENT

Petitioner seeks a mandamus to take a decision on the application of the petitioner within a time limit and also seeks stay of all further proceedings on Ext.P1 till a decision is taken on the petitioner's application. Ext.P1 is the complaint of Corporation filed before the Additional Chief Judicial Magistrate, Thiruvananthapuram. There is admittedly an order passed provisionally under Section 406(1) of Kerala Municipality Act followed by a final order. According to the petitioner, petitioner moved an application for requlariseation.

In such circumstances, the writ petition is disposed of directing the first respondent to consider and take a decision on the application filed and pending if any before it seeking regularisation, in accordance with law, within a period of two months from the date of receipt of a copy of this judgment. Till such time, the interim order will continue.

(K.M.JOSEPH, JUDGE)

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